IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA COLUMBUS DIVISION

BIRD ABELL, RAY ANZLOVAR, et al.,

Plaintiffs,

v. : Civil Action No. 4:05-cv-104(HL)

CITIGROUP, INC., CITIGROUP GLOBAL MARKETS, INC., formerly SALOMON, SMITH BARNEY, INC., et al.,

:

Defendants.

ORDER

Pending in this case are the Motion to Dismiss Complaint filed by Citigroup, Inc., Citigroup Global Markets, Inc., formerly Salomon, Smith, Barney, Inc., and Jack Grubman (hereinafter referred to as the "Citigroup Defendants") [doc 10]; Motion to Dismiss Complaint filed by Stiles A. Kellett, Jr. [doc. 15]; and Motion to Remand filed by all Plaintiffs [doc. 18]. Also pending is a Motion to Stay Proceedings Pending Determination of the Multidistrict Litigation Panel filed by the Citigroup Defendants [doc. 12].

On October 24, 2005, the Court held a telephone conference at which counsel for Plaintiffs and counsel for the Citigroup Defendants were present. Due to the short time frame in scheduling the phone conference, counsel for Stiles A. Kellett, Jr., the only other Defendant who has been served, was not available for the conference. During the phone conference, the

Court discussed with counsel whether the better course would be to stay the case pending

determination by the Multidistrict Litigation ("MDL") Panel. Although counsel for Plaintiffs

expressed her preference to have Plaintiffs' Motion to Remand considered by the Court at the

earliest opportunity, counsel agreed that staying the case pending a determination by the MDL

Panel would be acceptable to Plaintiffs. Counsel for the Citigroup Defendants stated that

Defendants would prefer to have the case stayed pending a determination by the MDL Panel and

further indicated to the Court that it was his belief that counsel for Stiles A. Kellett, Jr. would

also support a stay of the case.

The Court, having conferred with counsel, agrees that a stay of this case pending

determination by the MDL Panel is appropriate. Accordingly, the Motion to Stay filed by the

Citigroup Defendants [doc. 12] is hereby granted. All proceedings in this action are hereby

stayed for a period of 30 days after the MDL Panel issues its determination on Defendants'

pending request to have this case transferred to and consolidated with the multidistrict

proceedings in the United States District Court for the Southern District of New York.

SO ORDERED, this the 28th day of October, 2005.

s/ Hugh Lawson

HUGH LAWSON, JUDGE

mls

2